

SECTION 10.0 PROJECT ALTERNATIVES

10.1 Introduction

10.1.1 Purpose and Scope

CEQA requires that an EIR describe a “reasonable” range of alternatives to the project, or to the location of the project, which could feasibly attain most of the basic objectives of the project, and to evaluate the comparative merits of the alternatives. This chapter sets forth potential alternatives to the proposed project and evaluates them as required by CEQA.

Section 15126.6(c) directs that an EIR should focus on alternatives capable of: (1) eliminating or reducing significant adverse environmental effects of a proposed project and (2) feasibly accomplishing most of the basic project objectives. The discussion of alternatives in this Draft EIR reviews a range of alternatives, including the “No Project” alternative as prescribed by the State CEQA Guidelines, which satisfies this requirement.

10.1.2 Selection of Alternatives

As indicated above, alternatives must be selected, primarily, based upon their ability to avoid or reduce significant environment impacts of the project. However, in the case of the proposed project (i.e., single-family residence on a coastal bluff), no potentially significant environmental impacts were identified in the environmental analysis presented in Chapter 4.0. Therefore, alternatives include only those deemed to be potentially feasible in order to provide a comparison of potential environmental consequences based on their ability to further reduce potential effects of the proposed project, even though the effects were determined to be less than significant. With the exception of the No Project/No Development alternative, which is required to be included in the evaluated by the State CEQA Guidelines, each of the alternatives discussed in this Chapter was selected based on its ability achieve the project objectives identified in Chapter 3.0. Alternatives were identified by the City in consultation with the City’s environmental consultant, including:

- Alternative Site
- No Project/No Development
- Alternative Design (Remove Upper Level)
- Alternative Access (Bayside Drive)

10.1.3 Evaluation of Project Alternatives

According to the CEQA Guidelines (Section 15126.6[a]), an EIR must “. . . describe a range of reasonable alternatives for the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” The Guidelines go on to indicate that alternatives that are capable of substantially lessening any significant effects of the Project must be examined, “. . . even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.” The Guidelines further indicate “. . . that the EIR need examine in detail only the alternatives that the lead agency determines could feasibly attain most of the basic objectives of the project” (CEQA Guidelines Section 15126.6[c]). Thus the ability of an alternative to attain most of the basic project objectives is central to the consideration of alternatives to the proposed project.

For each alternative, the analysis presented in this section:

- Describes the alternative;
- Discusses the impacts of the alternative and evaluates the significance of those impacts; and,
- Evaluates the alternative relative to the proposed project, specifically addressing project objectives and the elimination or reduction of potentially significant impacts.

10.1.4 Identification of Impacts

After describing the alternative, this Draft EIR evaluates the impacts of the alternative. The major resource areas included in the detailed impact analysis in Section 4.0 are included in this section. The potential environmental consequences are identified and described in the analysis for each of the alternatives identified in Section 10.1.1.

10.2 Alternatives Rejected from Further Consideration

10.2.1 Alternative Site

As required by the State CEQA Guidelines (Section 15126.6(f)(2)(A), only alternative locations that would substantially reduce the potentially significant impacts resulting from project implementation must be included in the analysis of alternatives. Because the subject project proposes a single-family residence on a coastal bluff overlooking Newport Harbor and the Pacific Ocean, a similarly designated site located on a bluff would be required to accommodate such a project. However, a review of the City's General Plan revealed that no other similarly situated site that is designated for single-family residential development exists in the City of Newport Beach. Although there are several vacant properties in Newport Beach that are designated for single-family residential development, their inland location would prevent them from achieving the overriding objective identified by the applicant (i.e., provide west and south views of the harbor and Pacific Ocean from all levels of the proposed residence). Furthermore, while the applicant owns the subject property, it would be necessary for him to acquire a vacant parcel elsewhere in the City, which could affect the feasibility of the proposed project. As a result, this alternative has been rejected from further consideration.

10.2.2 No Development

The "No Development" alternative was also considered but rejected because implementation would necessitate either acquisition of the subject property or denial of development of the property to ensure that development does not occur on the site. Because the site is designated for residential development in accordance with the Land Use Element of the City's General Plan, development in accordance with the RS-D land use designation (and R-1 zoning) is anticipated. The City recently reaffirmed the intended use of this lot by designating it for residential purposes within the 2006 Update of the Newport Beach General Plan. Furthermore, to date, neither the City of Newport Beach nor other entity has expressed an interest to acquire the property in order to protect the site from development. If not acquired by the City (or other entity), denial of any site development would constitute a "taking."

10.3 Analysis of Alternatives

10.3.1 No Project

The No Project Alternative evaluates the potential environmental effects resulting from the continuation of the existing conditions on the site at the time the Notice of Preparation (NOP) was published, “. . . as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services” Therefore, this alternative assumes that in the short-term, the site would remain vacant. As a result, no adverse environmental effects would occur until such time as development was proposed in accordance with the adopted land use and zoning designations. The site would remain undeveloped and would not be affected by grading and development. Specifically, without any landform alteration, the small area of coastal bluff scrub habitat would not be removed as a result of development in the near future; however, as indicated in Section 4.2, this habitat does not meet the criteria established for ESHAs by both the Coastal Act and the City in the General Plan and Coastal Land Use Plan. Furthermore, without development of the site in the short-term, views from both Begonia Park and Pacific Drive/Begonia Avenue would not be affected by the introduction of structures that would be added into the viewshed from those vantage points. Without development of the site, no conflicts with the plans, programs and policies adopted by the City of Newport Beach would occur.

Although none of the project-related effects identified in Chapter 4.0 would occur in the short term as a result of the “no project” (i.e., no development) alternative in the short term, it is anticipated that future development of the site would occur based on the adopted land use and zoning designations, which allow the construction of one single-family residence on the site. The potential effects on land use and planning, biological resources and aesthetics based on development of the site in accordance with the adopted land use designation are identified and described below.

10.3.1.1 Land Use and Planning

The potential effects on land use and planning resulting from development of the site with one single-family residence would be similar to the project-related effects. Assuming the building envelope for such a development complied with the zoning district regulations that apply to the site (e.g., building height, setback, etc.), it is anticipated that the project-related effects identified in Section 4.1 would result. Like the proposed project, the future single-family residence would be compatible with the existing residential development in the area and would not conflict with either the scale or intensity that characterizes the Corona del Mar neighborhood. Similarly, it is likely that such an alternative would also be designed to be consistent with the relevant policies of both the General Plan and CLUP that address views and bluff protection. Based on the current direction provided by the Newport Beach Planning Commission related to development of the site, priority has been afforded to views from Begonia Park rather than complete protection of the coastal bluff feature, which has been substantially altered by development along Bayside Drive. Therefore, the potential impacts associated with a future single-family residence on the site would be the same as or similar to those effects identified for the proposed project, which were determined to be less than significant.

10.3.1.2 Biological Resources

Potential biological impacts that would be expected to occur as a result of the “no project” alternative would be virtually the same as those identified in Section 4.2, which include the elimination of the existing albeit low quality/value coastal bluff scrub habitat. It is anticipated that site alteration in order to accommodate future development of the site with a single-family residence would also result in the elimination of the 261 square feet of coastal bluff scrub habitat, similar to the proposed project. Because the existing habitat is limited in area, variety, and quality and, furthermore, is not occupied by sensitive species and because it does not meet the criteria established for ESHAs by the Coastal Act and City’s General Plan and CLUP, the loss of this low

value habitat is not significant. Therefore, potential impacts of this alternative would be the same as identified for the proposed project (i.e., less than significant).

10.3.1.3 Aesthetics

Assuming that future development of the site complies with the development standards prescribed in the R-1 zoning district, a single-family residence could be constructed that would result in less than significant impacts, similar to the proposed project.

Summary of No Project Alternative

- Ability to Achieve Project Objectives

The “no project” alternative would not result in the realization of any of the project objectives in the short-term. However, in the long-term, it would be possible to achieve each of the objectives identified by the project applicant with the construction of a single-family residence that is similar to the proposed project.

- Elimination/Reduction of Significant Impacts

Implementation of this alternative would defer project-related effects, including less than significant visual impacts associated with the development of the site (assuming that the residence complies with the maximum building height standard. In addition, biological impacts would also be the same as the proposed project (i.e., loss of 261 square feet of coastal bluff scrub habitat) as a result of site preparation. Similarly, if designed properly, this alternative would also be consistent with the long-range plans and policies adopted by the City of Newport Beach.

- Comparative Merits

The “no project” alternative is similar to the proposed project, both in terms of achieving all of the project objectives and avoiding potential environmental effects. Both the proposed project and the “no project” alternative would result in similar impacts, which are less than significant; however, all of the effects of this alternative would be deferred until such time as another project is proposed in the future.

10.3.2 Alternative Design (Remove Upper Level)

This alternative includes development of the site as proposed with a single-family residence with access from Pacific Drive; however, the third upper level above the average elevation of Pacific Drive would be eliminated. This possible alternative would result in the elimination of the garage and residential floor area (i.e., foyer and office area) comprising approximately 805 square feet. As a result, the total floor area of the residence would be reduced to 2,761 square feet. In addition, in order to accommodate on-site parking, the second floor roof structure would be designed to support automobile parking.

10.3.2.1 Land Use and Planning

This alternative would generally be consistent with the relevant long-range plans, programs and policies of the Newport Beach General Plan. It would also be consistent with the intensity of development in the residential neighborhood and will also be compatible with that development. As suggested by the Newport Beach Planning Commission, preserving the views from Begonia Park, as articulated in both the Natural Resources Element and the CLUP should have priority over preservation of the bluff, which has been substantially altered by development along Bayside Drive and Pacific Drive. However, by eliminating the third floor from the plan, the garage and foyer would be eliminated and direct access to the home from the

street level could not occur, necessitating an alternative design to accommodate access to the home. As prescribed by the City's Municipal Code, covered parking is required. Therefore, the "deck" parking provided with the alternative design that eliminates the upper level would require a variance from the parking code requirements.

10.3.2.2 Biological Resources

Implementation of this alternative would result in the elimination of the existing coastal bluff scrub habitat (i.e., 261 square feet). However, as indicated in Section 4.2, the elimination of this small area composed of only three species characteristic of that habitat would not be significant because the habitat has been fragmented and affected by human activities. This low quality/value habitat does not meet the criteria for ESHAs and is not considered important; therefore, no significant impacts would occur and the effect of this alternative would be the same as identified for the proposed project.

10.3.2.3 Aesthetics

Elimination of the project's third floor, which is located at the street elevation of Pacific Drive, would reduce the effects associated with introducing a dwelling unit on the site. Because vehicular access to the site would remain at Pacific Drive, it would be necessary to provide parking for the home on the roof of the proposed structure; however, the parking would be uncovered to avoid erecting a structure that rises above the street. Although automobiles parked on the roof would be visible, the proposed structure would not be visible from Begonia Park. In addition, although not identified as a "public view corridor" in the Natural Resources Element of the General Plan or the CLUP, views through the site to the bay and ocean would continue to be available from both Pacific Drive and Begonia Avenue in the vicinity of the subject property. Although project-related visual impacts from Begonia Park were determined to be less than significant, this alternative would eliminate any effects on views with the minor exception of the uncovered parking that would be provided on the roof of the proposed residence.

Summary of the Alternative Design

- Ability to Achieve Project Objectives

Implementation of this project would achieve all project objectives except for allowing a larger residence on the property, unless the project is redesigned to relocate the living space (i.e., foyer and study) lost with the elimination of the third floor within the floor plan. This alternative would provide views from all levels (although one level that included a foyer and study would be eliminated). It would provide vehicular access from Pacific Drive (to uncovered roof parking), it minimizes the visual effects of the residence on views from Begonia Park, and outdoor living areas would be directly accessible from each level.

- Elimination/Reduction of Significant Impacts

Although the proposed single-family residence would not result in significant impacts based on the significance criteria established for the project, the effects of the project could be reduced through the implementation of this alternative. Specifically, the residence would not extend into the viewshed of Begonia Park.

- Comparative Merits

Because this alternative would virtually eliminate any visual impacts from Begonia Park (and the adjacent public streets) and does achieve most of the project objectives, it is considered to be the "environmentally superior" alternative. However, as indicated above, the City does require that

parking for single-family detached residential dwelling units be covered. Therefore, this alternative would require the approval of a variance to allow uncovered parking.

10.3.3 Alternative Access (Bayside Drive)

Vehicular access to the subject property in this design alternative would be provided from Bayside Drive, below the bluff, rather than from Pacific Drive where direct vehicular access is currently available. In addition, the third floor of the proposed residence (i.e., ground level floor at Pacific Drive that includes the garage, study and foyer) would be relocated as the first floor in order to remove that portion of the structure from the Begonia Park viewshed. As a result, the total floor area would be the same as the proposed project (i.e., 3,138 square feet, not including the garage).

10.3.3.1 Land Use and Planning

Implementation of this alternative would be consistent with the relevant long-range plans, programs, and policies adopted by the City of Newport Beach that affect site development as well as the direction provided by the Newport Beach Planning Commission, which concluded that the preservation of harbor and ocean views from Begonia Park, a designated “public view point,” should take precedence over complete preservation of the bluff in this location. As a result, relocating the project access to Bayview Drive and relocating the third floor to become the first floor would be consistent with the direction provided by the Planning Commission. However, this alternative would require the provision of an access easement through the southerly limits of Begonia Park and would also necessitate potentially greater excavation and grading as a result of the redesign of the project to accommodate the relocated third floor component of the proposed project. Therefore, while this alternative would result in the preservation of the bay and ocean views from vantage points within Begonia Park, it would result in substantially greater impacts to the bluff. In addition, the extension of the vehicular access through the park would conflict with the park use in the lowest elevation of the park along Bayview Drive. The Public Works Department has evaluated this alternative access and finds it undesirable and possibly a hazard given limited vehicular sight distances along Bayside Drive that is relatively narrow and curving.

10.3.3.2 Biological Resources

Similar to the proposed project and the Alternative Design, this alternative, too, would result in the elimination of the existing coastal bluff scrub habitat (i.e., 261 square feet). However, the elimination of the low quality/value habitat, which is not an ESHA and, therefore, is not considered important is not significant. Therefore, no significant impacts to biological resources would occur and the effect of this alternative would be the same as identified for the proposed project.

10.3.3.3 Aesthetics

As indicated in Section 10.3.3.1, this alternative would result in the preservation of the harbor and ocean views from the Begonia Park vantage points as desired by the Newport Beach Planning Commission. Relocation of the third floor of the project to the lower elevations of the site would eliminate the encroachment of the structure into the Begonia Park viewshed. Although the potential project-related visual impacts to bay and ocean views are less than significant, the elimination of the projection of the structure into the viewshed represents an improvement to the aesthetic character of the area. In addition, views through the site to the west and south from both Pacific Drive and Begonia Avenue would not be affected with provision of the alternative access and relocation of the third floor as identified in this alternative.

Summary of the Alternative Access

- Ability to Achieve Project Objectives

Implementation of this alternative would achieve most of the project objectives except it would not allow for vehicular access from Pacific Drive as desired by the project applicant. In addition, if this alternative is implemented, views from all of the levels of the home would not be provided because the living spaces in the third floor (i.e., foyer and study) would be relocated with the garage element as a result of the Bayview Drive access, unless the plan is redesigned to accommodate these living areas higher above the bluff to create harbor and ocean views.

- Elimination/Reduction of Significant Impacts

Although the Alternative Access would improve views from Begonia Park and from Begonia Drive and Pacific Drive, additional adverse effects would occur. For example, it would be necessary to extend a private drive or roadway from Bayview Drive through the southern limits of Begonia Park and up the lower elevation of the bluff to accommodate vehicular access. The extension of the road through the park would alter the park setting and would conflict with policies related to the preservation of the character of that facility. Furthermore, the applicant must be granted an access easement through the park. Finally, it is anticipated that in order to extend the roadway to the site from Bayview Drive, additional landform alteration would also be required. As a result, nearly the entire bluff face would be altered.

- Comparative Merits

Because of the potential adverse impacts to the park that would result from extending the roadway from Bayview Drive to the site and, further, due to the more extensive landform alteration that would also be required to replace the enclosed garage and living space, this alternative would not be environmentally superior when compared to other alternatives evaluated.

10.4 Summary of Alternatives

An EIR is required to identify the “environmentally superior” alternative among those evaluated from the reasonable range of alternative analyzed. Section 15126.6(e)(2) of the State CEQA Guidelines mandates that in the event “. . . the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. In addition, alternatives identified and evaluated are also intended to achieve the project objective, which includes:

- Construction of a custom, single-family residence consistent with the General Plan and Zoning designations adopted for the project that:
 - (1) provides adequate floor area within a personalized floor plan to accommodate the applicant’s living needs;
 - (2) provides views of the harbor and Pacific Ocean to the south and west from each level;
 - (3) provides outdoor living areas that are directly accessible from indoor spaces on each level;
 - (4) provides access from Pacific Drive to an enclosed garage;
 - (5) minimizes impacts on public views from Begonia Park.

Table 10-1 provides a summary of the three project alternatives. As indicated in that table, while the alternatives can achieve most or all of the project objectives, potential land use impacts and/or conflicts would occur in the form of uncovered parking (Alternative Design) or impacts to Begonia Park and more extensive landform alteration (Alternative Access).

Table 10-1

**Summary of Project Alternatives
 Megonigal Residence**

Alternative	Reduced Project Effects	Impacts Avoided or Substantially Reduced ¹	Additional Effects	Environmentally Superior?	Meets Project Objectives
No Project	Yes	Biological Resources ² Land Use ² Aesthetics ²	None	No	None ³ 1-5 (Potentially) ⁴
Alternative Design (Remove Upper Level)	No	Aesthetics	Land Use (Unenclosed Parking)	Yes	2, 3, 4, 5
Alternative Design (Bayside Drive Access)	No	Aesthetics ⁵	Bluff Alteration Land Use (Begonia Park Impacts)	No	1, 3, 5

¹No significant impacts are anticipated as a result of project implementation.
²The “no project” alternative would eliminate all of the project’s effects in the short-term; however, future development of the site in accordance with the adopted long-range plans for the site would result in the same or similar effects that would also be less than significant, if developed in the same manner as the proposed project.
³Short-term scenario.
⁴Long-term scenario.
⁵If the third floor (i.e., ground floor) is also eliminated.

10.5 Environmentally Superior Alternative

Section 15126.6(e)(2) of the State CEQA Guidelines requires that “. . . the EIR shall also identify an environmentally superior alternative among the other alternatives” if the No Project alternative is identified as the environmentally superior alternative. As previously indicated, project implementation will not result in any potentially significant impacts. The No Project alternative identified and analyzed will eliminate the potential project-related effects in the short-term, because the site would remain undeveloped until some future time when development is proposed in accordance with the adopted General Plan. However, with development of the site, the same or similar effects as those identified for the proposed project would occur once development consistent with the adopted plans and programs occurs. Therefore, the environmentally superior alternative is the Alternative Design (elimination of the third floor of the proposed home), which would eliminate the penetration of the structure into the viewshed, even though the project-related visual impact is less than significant; however, the elimination of this visual effect would come at the expense of not achieving some of the objectives (e.g., enclosed garage, larger living area, etc.).

Section 15126.6 of the State CEQA Guidelines requires consideration of a “reasonable range of alternatives” to the project that would not only reduce potentially significant effects of the project but also achieve most of the project objectives. It is important to note that the analysis presented in Chapter 4.0 of the Draft EIR concludes that project implementation will not result in any potentially significant environmental impacts (i.e., no mitigation is required). Therefore, the analysis of alternatives does not have the same implications when considering alternatives and, in particular, identifying the “environmentally superior” alternative as compared to other projects that result in potentially significant impacts. The analysis of alternatives for the proposed Megonigal residence is intended only to provide additional information related to other alternatives, including the “no project” alternative, for consideration by the City’s decision-making body.